

STATE OF INDIANA)
) SS:
COUNTY OF LAPORTE)

IN THE LAPORTE SUPERIOR COURT NO. 3

2005 CONTINUOUS TERM

ARTHUR JAMES ROGERS,
Plaintiff

FILED
IN OPEN COURT

-vs-

SEP 7 2005

Cause No. 46DO3- 2509-SL-001239

STEPHEN J. HUCKINS and
SGT. HAWLEY,
Defendants

CLERK OF LA PORTE SUPERIOR COURT

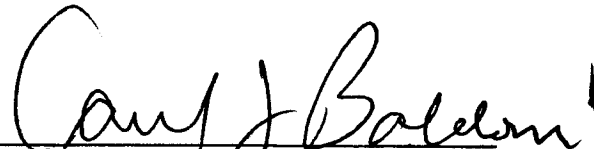
ORDER

Pursuant to Indiana Code 34-58-1-1, et al, the Court has ordered this claim docketed and has conducted a review as required by Indiana Code 34-58-1-2. The Court determines that the substance of plaintiff's claim concerns access to the law library. He contends that the defendants, as Department of Correction officers, have failed to permit him timely access as he requires. The plaintiff's claim, in essence, regards the customary duties of officers with the Department of Corrections regarding security concerns and matters that are solely within the Department of Corrections' control and supervision.

The Court determines that pursuant to Indiana Code 34-58-1-2, the plaintiff's claim is not a claim upon which relief can be granted. Therefore, the Court finds that the plaintiff's claim seeking damages of \$300,000.00 may not proceed.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED pursuant to Indiana Code 34-58-1-3 that the plaintiff may not proceed and this matter is now dismissed, with prejudice.

SO ORDERED this 7th day of September, 2005.



Paul J. Baldoni, Judge
LaPorte Superior Court No. 3

cc: Arthur James Rogers, #850384
Indiana Attorney General